

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

UNITED STATES OF AMERICA,	:	
	:	
Plaintiff,	:	
	:	
-v.-	:	CR-2-10-300
	:	JUDGE MARBLEY
	:	
SHANE MATTHEW ROUSH,	:	
CORRINA AILEEN ROUSH,	:	
	:	
Defendants.	:	

PRELIMINARY ORDER OF FORFEITURE

WHEREAS, the Indictment returned in this action contained a forfeiture allegation (Forfeiture A) notifying Defendants Shane Matthew Roush and Corrina Aileen Roush that the United States sought the forfeiture of specific property of Defendants Shane Matthew Roush and Corrina Aileen Roush pursuant to 21 U.S.C. §§853(a)(1) and (a)(2) based on the conduct of Defendants Shane Matthew Roush and Corrina Aileen Roush in Count One of the Indictment, in violation of 21 U.S.C. §§841(a)(1) and (B)(1)(A)(vii) which property is fully described below ("subject property"); and

WHEREAS, on February 17, 2012, Defendant Shane Matthew Roush consented to enter a guilty plea before a magistrate judge and entered a Plea of Guilty to Count One of the Indictment before Magistrate Judge Elizabeth Preston Deavers; and,

WHEREAS, on February 21, 2012, Magistrate Judge Deavers entered her Report and Recommendation in which she found that Defendant Shane Matthew Roush entered his plea of guilty to Count One of the Indictment because he is in fact guilty of the offense charged in the Indictment. In addition, Defendant Shane Matthew Roush agreed to forfeit certain motor vehicles, as reflected in Forfeiture A, in favor of the United States pursuant to 21 U.S.C. §§853(a)(1) and (a)(2); and,

WHEREAS, as the date for filing objections to the Report and Recommendation expired on March 9, 2012, this Court adopts the Report and Recommendation of the Magistrate Judge; and,

WHEREAS, in the Plea Agreement entered on February 6, 2012, Defendant Shane Matthew Roush agreed that his vehicles, as reflected in Forfeiture A, shall be forfeited in favor of the United States pursuant to 21 U.S.C. §§853(a)(1) and (a)(2). The Defendant, Shane Matthew Roush agreed to forfeit all right, title and interest he has in the following motor vehicles:

- A. a 2002 Dodge Viper, VIN 1B3ER65E52V102517, record owner Shane Matthew Roush;
- B. a 1978 Chevrolet Corvette, VIN 1Z8748S420906, record owner Shane Matthew Roush;
- C. a 2000 883 Sportster Harley Davidson Motorcycle, VIN 1HD4CEM17XK123400, recorded owner Shane Matthew Roush;
- D. a 1998 Honda 1100 Shadow Motorcycle, VIN PC0816GM301398, record owner Shane Matthew Roush;

- E. a 1986 4 Winns 170 Horizon boat, bearing hull no. 4WNME606E686, with a 17 foot Pemco Trailer, identifying number DA-603T Actuator, record owner Shane Matthew Roush;
- F. a 2004 Hyundai TGT, VIN KMHHN65F24U142347, record owner Shane Matthew Roush;
- G. a Kubota RTV 900, Serial No. 31544, record owner Shane Matthew Roush;
- H. a 1994 Mitsubishi 3000 GT, VIN JA3AM54J4RY032083, record owner Corrina Aileen Roush;
- I. a 2003 Hyundai, VIN KMHHN65F83U051436, record owner Corrina Aileen Roush;
- J. a 1998 4x4 Chevy 2500 pickup, VIN 1GCEK14ROWZ200654, record owner Shane Matthew Roush; and,
- K. a 1996 Jeep Cherokee, VIN 1J4GZ58S0TC332900, record owner Shane Matthew Roush,

with all attachments and appurtenances applicable to each said motor vehicle, all of which are the subject of Forfeiture A of the Indictment. Defendant Shane Matthew Roush stated that while two of the vehicles are titled in the name of his spouse an co-defendant, Corrina Aileen Roush, he is, in fact, the actual owner of each of the motor vehicles, seized from him following his arrest on October 21, 2010, and that he has the right to consent to the disposition of these motor vehicles. The defendant gave up any ownership rights he may have in these motor vehicles. The defendant waived any rights he may have to notice and an opportunity to be heard concerning the disposition of these motor vehicles. The defendant abandoned the motor vehicles to the United States with the understanding that the vehicles will be

disposed of by the United States. The Defendant holds the United States, its agents and assigns, harmless and agreed not to file against the United States, its agents or assigns, any claim or action to recover these motor vehicles or damages as a result of the disposition of these motor vehicles. The Defendant Shane Matthew Roush further agreed not to contest the forfeiture whether administrative, civil or criminal of said motor vehicles; and,

WHEREAS, on March 2, 2012, Defendant Corrina Aileen Roush entered a Plea of Guilty to Count One of the Indictment; and

WHEREAS, in the Plea Agreement entered on February 8, 2012, Defendant Corrina Aileen Roush agreed that any interest she may have in the motor vehicles, as reflected in Forfeiture A, shall be forfeited in favor of the United States pursuant to 21 U.S.C. §§853 (a) (1) and (a) (2).

WHEREAS, by virtue of said Indictment, Guilty Pleas, and Plea Agreements the Court has determined that the requisite nexus exists between the subject property and Count One of the Indictment, that the subject property is forfeitable pursuant to 21 U.S.C. §§853(a) (1) and (a) (a), and that the United States is now entitled to possession of the subject property.

Accordingly, it is hereby ORDERED, ADJUDGED AND DECREED:

1. That Defendants Shane Matthew Roush and Corrina Aileen Roush shall forfeit to the United States the subject property, that is:

- A. a 2002 Dodge Viper, VIN 1B3ER65E52V102517, record owner Shane Matthew Roush;
- B. a 1978 Chevrolet Corvette, VIN 1Z8748S420906, record owner Shane Matthew Roush;
- C. a 2000 883 Sportster Harley Davidson Motorcycle, VIN 1HD4CEM17XK123400, recorded owner Shane Matthew Roush;
- D. a 1998 Honda 1100 Shadow Motorcycle, VIN PC0816GM301398, record owner Shane Matthew Roush;
- E. a 1986 4 Winns 170 Horizon boat, bearing hull no. 4WNME606E686, with a 17 foot Pemco Trailer, identifying number DA-603T Actuator, record owner Shane Matthew Roush;
- F. a 2004 Hyundai TGT, VIN KMHHN65F24U142347, record owner Shane Matthew Roush;
- G. a Kubota RTV 900, Serial No. 31544, record owner Shane Matthew Roush;
- H. a 1994 Mitsubishi 3000 GT, VIN JA3AM54J4RY032083, record owner Corrina Aileen Roush;
- I. a 2003 Hyundai, VIN KMHHN65F83U051436, record owner Corrina Aileen Roush;
- J. a 1998 4x4 Chevy 2500 pickup, VIN 1GCEK14ROWZ200654, record owner Shane Matthew Roush; and,
- K. a 1996 Jeep Cherokee, VIN 1J4GZ58S0TC332900, record owner Shane Matthew Roush.

2. That the United States Marshals Service shall immediately seize the subject property and hold same in its secure custody and control.

3. That the United States is authorized to conduct any discovery proper in identifying, locating or disposing of the subject property in accordance with Fed. R. Crim. P. 32.2(b)(3).

4. That the United States shall publish, in accordance with the provisions of 21 U.S.C. §853(n), notice of this Order and notice of its intent to dispose of the subject property in such manner as the Attorney General may direct.

5. The United States shall also provide written notice to any person who reasonably appears to be a potential claimant with standing to contest the forfeiture in the ancillary proceeding in accordance with Fed. R. Crim. P. 32.2(b)(6).


6. That pursuant to Fed. R. Crim. P. 32.2(b)(3), this Preliminary Order of Forfeiture shall become final as to Defendants Shane Matthew Roush and Corrina Aileen Roush at the time of sentencing and shall be made part of the sentence and included in the judgment. If no third party files a timely claim, this Order shall become the Final Order of Forfeiture, as provided by Fed. R. Crim. P. 32.2(c)(2).

7. That following the Court's disposition of all petitions filed pursuant to 21 U.S.C. §853(n), or, if no such petitions are filed, following the expiration of the period for the filing of

such petitions, the United States shall have clear title to the subject property.

8. The Court shall retain jurisdiction to enforce this Order, and to amend it as necessary, pursuant to Fed. R. Crim. P. 32.2(e).

ORDERED this 26 day of March, 2012.



HONORABLE ALGENON L. MARBLEY  
UNITED STATES DISTRICT COURT JUDGE